

REMARKS

Claims 28-30 are canceled. As a result, claims 1-6, 9, 10, 17, 21, 26, and 31-56 are now pending in this application. In the Restriction Requirement mailed June 23, 2009, the Examiner has restricted the claims to one of the following inventions under PCT Rule 13.1:

- A) calcium containing ceramic particles (i.e. dicalcium phosphate dehydrate, etc) of claim 1.
- B) a hydrogel (i.e. glycosaminoglycane, etc) (claims 32-39 and 43) and the properties that read on the elected species must be identified (water content (claims 44-45), molecular weight (claims 41-42 and 46-48), weight relationship of A/B (claims 51-56)).
- C) ceramic particles (i.e. calcium carbonate, etc) of claims 28-30.

Applicants elect, without traverse:

- A) alpha-tricalcium-phosphate ($\alpha\text{-Ca}_3(\text{PO}_4)_2$) as a ceramic particle.
- B) glycosaminoglycane as a substance which can be swelled into a hydrogel.
 - less than 99% water
 - molecular weight larger than 300,000 Dalton
 - weight relationship A/B is between 0.2 and 0.5

Applicant has cancelled claims 28-30 thereby rendering the Restriction of Ceramic Particles under C) moot. Withdrawal of the "C)" Restriction is respectfully requested.

Applicant respectfully submits that at least claims 1-6, 9, 10, 17, 21, 31-36, and 38-51 are drawn to the elected species. Applicant requests examination of all other species upon allowance of a generic claim. Applicant notes that claims 1-6, 9, 10, 17, 21, 26, and 28-56 are indicated as generic in the present Restriction Requirement.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (612) 373-6944 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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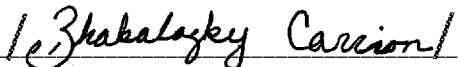
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23 day of July, 2009.

Zhakalazky M. Carrion

Name


Signature